

UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

|No. CV 17-4438

Plaintiff,

V.

WARRANT FOR ARREST IN REM

CERTAIN RIGHTS TO AND INTERESTS IN THE VICEROY HOTEL GROUP,

Defendants.

TO: THE FEDERAL BUREAU OF INVESTIGATION (“FBI”), THE
UNITED STATES MARSHAL FOR THE CENTRAL DISTRICT OF
CALIFORNIA, AND/OR ANY OTHER DULY AUTHORIZED LAW
ENFORCEMENT OFFICER:

A Verified Complaint for Forfeiture In Rem (“Complaint”) was filed on June 15, 2017, in the United States District Court for the Central District of California by the United States of America, alleging that the defendant assets – specifically, all rights to and interests in the Viceroy Hotel Group (“Viceroy”) owned, held or acquired, directly or indirectly, by JW Hospitality (VHG US) LLC

1 (formerly known as Wynton Hospitality (VHG US) LLC) and JW Hospitality
2 (VHG Intl) Ltd. (formerly known as Wynton Hospitality (VHG Intl) Ltd.),
3 including any right to collect and receive any profits and proceeds therefrom, and
4 any interest derived from the proceeds invested in the Viceroy by JW Hospitality
5 (VHG US) LLC and JW Hospitality (VHG Intl) Ltd. (the “Defendant Assets”)
6 – are subject to forfeiture to the United States of America pursuant to Title 18,
7 United States Code, Section 981(a)(1)(A) and (C).

8 The Court is satisfied that, based upon the allegations of the Verified
9 Complaint, there is probable cause to believe that the Defendant Assets are subject
10 to forfeiture to the United States pursuant to 18 U.S.C. § 981(a)(1)(A) and (C).

11 YOU ARE HEREBY COMMANDED pursuant to Rule G(3)(c) of the
12 Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture
13 Actions, Federal Rules of Civil Procedure (the “Supplemental Rules”), to arrest
14 and seize the Defendant Assets. Special Agents of the FBI and/or Deputies of the
15 United States Marshals Service (“USMS”), together with any personnel deemed
16 necessary, shall execute this warrant of arrest in rem as soon as practicable.

17 YOU ARE FURTHER COMMANDED to provide a copy of this warrant to
18 the person from whom the Defendant Assets are seized and file a return with this
19 Court identifying the time and details of execution of this Warrant, and the identity
20 of the individual(s) who received copies.

21 THE GOVERNMENT IS COMMANDED to publish notice of the seizure in
22 a manner consistent with the Supplemental Rules, and to provide notice of this
23 action to all persons and entities who reasonably appear to be potential claimants to
24 the Defendant Assets by sending such persons and entities a copy of this warrant
25 and a copy of the Verified Complaint, in a manner consistent with Rule G(4)(b) of
26 the Supplemental Rules.

27 This warrant provides notice that in order to avoid forfeiture of the
28 Defendant Assets, any person claiming an interest in, or right against, the

1 Defendant Assets must file a claim, signed under penalty of perjury, identifying the
2 specific assets claimed, the claimant, and stating the claimant's interest in the
3 assets in the manner set forth in Rule G(5) of the Supplemental Rules. Any such
4 claim must also be served on Assistant United States Attorney John J. Kucera or
5 Assistant United States Attorney Christen A. Sproule at the United States
6 Attorney's Office, Central District of California, 312 North Spring Street, 14th
7 Floor, Los Angeles, California 90012. In no event may such claim be filed later
8 than 35 days after the date the notice of the Complaint is sent, or if applicable, no
9 later than 60 days after the first day of publication on an official internet
10 government forfeiture site.

11 In addition, any person having filed such a claim must also file an answer to
12 the Verified Complaint not later than 21 days after the filing of the claim, with a
13 copy thereof sent to Assistant United States Attorney John J. Kucera or Assistant
14 United States Attorney Christen A. Sproule at the address above. Upon failure to
15 file a verified statement of interest and answer, default may be entered pursuant to
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1 Rule 55(a), Federal Rule of Civil Procedure, and seizure and condemnation may
2 proceed as sought by plaintiff in its Complaint.

3 DATED: 6/16/17



5 UNITED STATES DISTRICT JUDGE

6 PRESENTED BY:

7 DEBORAH CONNOR, Acting Chief
8 Money Laundering and Asset Recovery Section
9 United States Department of Justice

10 WOO S. LEE

11 KYLE R. FREENY

12 Criminal Division

13 U.S. Department of Justice

14 SANDRA R. BROWN
15 Acting United States Attorney

16 LAWRENCE S. MIDDLETON

17 Assistant United States Attorney

18 Chief, Criminal Division

19 STEVEN R. WELK

20 Assistant United States Attorney

21 Chief, Asset Forfeiture Section

22 /s/Christen A. Sproule

23 JOHN J. KUCERA

24 CHRISTEN A. SPROULE

25 Assistant United States Attorneys

26 Attorneys for Plaintiff

27 UNITED STATES OF AMERICA

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